

AO 106 (Rev. 04/010) Application for Search Warrant

AUTHORIZED AND APPROVED/DATE: s/Wilson McGarry 12-2-22

UNITED STATES DISTRICT COURT

for the

WESTERN

DISTRICT OF

OKLAHOMA

In the Matter of the Search of)

(Briefly describe the property to be search)

Or identify the person by name and address)

A yellow Apple iPhone cellular phone with
 IMEI: 356460904953227 seized from Ming
 Hang Lin and currently located in secure
 storage at the Federal Bureau of Investigation
 in Oklahoma City, OK)

Case No: M-22-897

-STE

APPLICATION FOR SEARCH WARRANT

I, a federal law enforcement officer or attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following (*identify the person or describe property to be searched and give its location*):

See Attachment A.

Located in the Western District of Oklahoma, there is now concealed (*identify the person or describe the property to be seized*):

See Attachment B.

The basis for the search under Fed. R. Crim.P.41(c) is(*check one or more*):

- ☒ evidence of the crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

18 U.S.C. § 1956
 18 U.S.C. § 1956(h)
 21 U.S.C. § 841(a)
 21 U.S.C. § 846

Offense Description

Money Laundering
 Money Laundering Conspiracy
 Possession with Intent to Distribute a Controlled Substance
 Conspiracy to Possess with Intent to Distribute a
 Controlled Substance

The application is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet(s).

☐ Delayed notice of _____ days (*give exact ending date if more than 30 days*) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet(s).



Chad VonTungeln Task Force Officer, FBI

Sworn to before me and signed in my presence.

Date: Dec 2, 2022

Lawton, OK

City and State: [REDACTED]



Judge's signature

SHON T. ERWIN, U.S. Magistrate Judge

Printed name and title

THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

IN THE MATTER OF THE SEARCH
OF A YELLOW APPLE iPhone,
WITH IMEI: 356460904953227,
SEIZED FROM MING HANG LIN
AND CURRENTLY LOCATED IN
SECURE STORAGE AT THE
FEDERAL BUREAU OF
INVESTIGATION OFFICE IN
OKLAHOMA CITY, OK

Case No. M-22-897 -STE

AFFIDAVIT IN SUPPORT OF AN
APPLICATION UNDER RULE 41 FOR A
WARRANT TO SEARCH AND SEIZE

I, Detective Chad Vontungeln, Task Force Officer (TFO) of the Federal Bureau of Investigation (FBI), United States Department of Justice, being duly sworn, depose and state as follows:

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant authorizing the examination of property—an electronic device—which is currently in law enforcement possession, and the extraction from that property of electronically stored information described in **Attachment B**.

2. I have been employed with the Oklahoma City Police Department (OCPD) since May of 2001. I have been a TFO with the FBI since October 2021. I am currently assigned to the Oklahoma City Division, where I have been involved in a wide variety of investigative matters, including numerous investigations targeting large criminal enterprises, most of which involved the unlawful distribution of narcotics in violation of 21 U.S.C. §§ 841(a)(1)

and 846. As part of my investigative experience as an FBI TFO, I have executed search and arrest warrants, conducted physical surveillance, coordinated controlled purchases with confidential sources, analyzed cellular phone data and records documenting the purchase and sale of illegal drugs, and spoken with informants and subjects, as well as other local and federal law enforcement officers, regarding the manner in which drug distributors obtain, finance, store, manufacture, transport, and distribute their illegal drugs. As a federal agent, I am authorized to investigate violations of United States laws, to execute warrants, and make arrests under the authority of the United States.

3. I am submitting this Affidavit in support of a search warrant authorizing a search of one cellular telephone, a yellow Apple iPhone, with IMEI: 356460904953227 (hereinafter the “**SUBJECT PHONE**”), seized from Ming Hang Lin—as further described in **Attachment A**, which is incorporated into this Affidavit by reference. The **SUBJECT PHONE** is currently located in secure evidence storage at the FBI Oklahoma City Field Office, located at 3301 W. Memorial Road, Oklahoma City, Oklahoma. I am submitting this Affidavit in support of a search warrant authorizing a search of the **SUBJECT PHONE** for the items specified in **Attachment B** hereto, wherever they may be found, and to seize all items in **Attachment B** as instrumentalities, fruits, and evidence of violations of 18 U.S.C. §§ 1956 (money laundering) and 1956(h) (money laundering conspiracy) and 21 U.S.C. §§ 841(a) (Possession with Intent to Distribute a Controlled Substance) and 846 (Conspiracy to Possess with Intent to Distribute a Controlled Substance).

4. Since this Affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me regarding this investigation. I

have set forth only the facts that I believe are necessary to establish probable cause to support the issuance of a search warrant. The information contained in this Affidavit is based upon my personal knowledge and observation, my training and experience, conversations with other law enforcement officers and witnesses, and review of documents and records.

BACKGROUND OF INVESTIGATION

5. On December 1, 2022, at about 10:25 p.m., Oklahoma Highway Patrol (OHP) Trooper Brady Webb (WEBB) was on duty, driving in a marked Oklahoma Highway Patrol vehicle while working traffic enforcement on I-40 near Mustang road in Canadian County Oklahoma which is in the Western District of Oklahoma. WEBB observed a silver Ford Explorer driving eastbound on I-40 in excess of the posted speed limit. WEBB initiated a traffic stop on the Explorer. WEBB found that Ming Hang Lin (MING) was the driver, registered owner, and sole occupant of the vehicle. Through the windows while standing outside the Explorer, WEBB saw black trash bags that appeared to be full. WEBB also smelled the odor of marijuana emitting from the inside of the Explorer. WEBB conducted a probable cause search of the vehicle and found over 100 pounds of marijuana inside the trash bags, which WEBB had observed in plain view at the time of the stop. As a result, WEBB arrested MING.

6. The **SUBJECT PHONE** was in MING's possession at the time of arrest. Based on my training and experience, I know that cellular phones such as the **SUBJECT PHONE** have capabilities that allow it to serve as a wireless telephone, digital camera, portable media player, GPS navigation device, and PDA. Such cell phones and their associated memory cards commonly contain electronically stored information, including but not limited to, the

phone directory and/or contacts list, calendar, text messages, e-mail messages, call logs, photographs, and videos. In my training and experience, examining data stored on devices of this type can uncover, among other things, data and information which constitutes evidence, fruits, and instrumentalities of drug trafficking offenses and evidence that reveals or suggests who possessed or used the device. Furthermore, based on my training and experience, I know that it is very common for interstate drug couriers and distributors to use their phones for several reasons in the course of their criminal conduct. Most commonly, I am aware that individuals involved in trafficking illegal narcotics often use cell phones to maintain contact with other co-conspirators, including suppliers, transporters, distributors, and purchasers of illegal narcotics, including sending or receiving drop off locations for the drugs and discussing or negotiating the money involved in the drug deals and what to do with the proceeds from the drug transaction. Similarly, I know drug couriers or distributors often share pictures with their cellular phones of the illegal products and money being transported and laundered.

7. Based on the above information, there is probable cause to believe that violations of 18 U.S.C. §§ 1956 (money laundering) and 1956(h) (money laundering conspiracy) and 21 U.S.C. §§ 841(a) (Possession with Intent to Distribute a Controlled Substance) and 846 (Conspiracy to Possess with Intent to Distribute a Controlled Substance) have occurred, and that evidence, fruits, and instrumentalities of these offenses are located on the **SUBJECT PHONE**. Therefore, I respectfully request that this Court issue a search warrant for the

SUBJECT PHONE, described in **Attachment A**, authorizing the seizure of the items described in **Attachment B**.



Detective Chad Vontungeln
Task Force Officer
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me this 2nd day of December, 2022.



SHON T. ERWIN
United States Magistrate Judge

ATTACHMENT A

The property to be searched is a yellow Apple iPhone, with IMEI: 356460904953227, hereinafter the “**Subject Phone**.” The **Subject Phone** is currently located at FBI Oklahoma City, 3301 W. Memorial Road, Oklahoma City, Oklahoma.

A photo of the Subject Phone is below:



This warrant authorizes a review of electronic storage media and electronically stored information seized or copied pursuant to this warrant in order to locate evidence, fruits, and instrumentalities described in this warrant. The review of this electronic data may be conducted by any government personnel assisting in the investigation, who may include, in addition to law enforcement officers and agents, attorneys for the government,

attorney support staff, and technical experts. Pursuant to this warrant, the FBI may deliver a complete copy of the seized or copied electronic data to the custody and control of attorneys for the government and their support staff for their independent review.

ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

Electronically stored information including, but not limited to, the phone directory and/or contacts list, calendar, text messages, multi-media messages, e-mail messages, call logs, photographs, and videos.